IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 21427 of 2004

Between:

Blue Vega, H.No.16-2-742/D, Venkatadri Nagar, Malakpet, Hyderabad,
rep.by its Managing Partner Mr.M.Shravan Kumar,

S/o M.Ram Reddy,R/o Domalguda, Lower Tank Bund, Hyderabad

..... PETITIONER

AND

Divisional Engineer, BSNL, Saroornagar,
Kothapet, Hyderabad. .....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to call for the records connected with show cause notice dated 09-04-2003 and direct the respondent to refund the deposit amounts pertaining to Telephone Nos.24150421, 24150429, 24150466, 24150338, 24150448, 24150417, 24150446 and 24150266 by issuing a Writ of Mandamus or any other appropriate Writ or Order or direction as this Honourable Court deems fit and proper in the circumstances of the case and allow the writ petition with costs.

Counsel for the Petitioner : Mr.K.MAHIPATHI RAO

Counsel for the Respondent: Mr.B.DEVANAND

The Court made the following :

ORDER:

Heard the learned counsel for petitioner and the learned counsel for respondent and both of them agreed for disposal of the writ petiton at the stage of admission.

The petitioner, which is stated to be a partnership firm doing business in marketing, filed the present writ petition contending that the firm is utilizing the services of Telephone Nos.24150421, 24150429, 24150466, 24150338, 24150448, 24150417, 24150446 and 24150266 by paying the bills promptly.

The learned counsel appearing on behalf of petitioner submits that the respondent, without any enquiry, has disconnected the Telephone connections on 22.4.2003 on the ground that they are being misused. He also contends that though the petitioner made representations dated 12.3.2004 and 29.6.2004 to the respondent authorities for refund of the deposit amounts made at the time of installation of Telephones, the respondents did not take any action.

On instructions, the learned Standing Counsel for respondent submits that the petitioner company has been closed for some time back and during the closure period also, the Telephones were misused.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondent to consider the representations of the petitioner for refund of the deposit amounts within eight weeks from the date of receipt of a copy of this order. It is needless to observe that the respondent is at liberty to refund the deposit amounts to the petitioner after deducting the amounts towards arrears of bills, if any, payable by the petitioner.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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N.V.RAMANA, J

Date: 7.12.2004

DA

To

1. The Divisional Engineer, BSNL, Saroornagar, Kothapet, Hyderabad.

2 Two CD copies.